



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/977,591	11/25/1997	JUNICHI NAKATA	450100-4193	3294

20999 7590 04/23/2003

FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE- 10TH FL.
NEW YORK, NY 10151

EXAMINER

TRAN, HAI V

ART UNIT	PAPER NUMBER
----------	--------------

2611

11

DATE MAILED: 04/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/977,591

Applicant(s)

NAKATA ET AL.

Examiner

Hai Tran

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 8 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Allowable Subject Matter

The indicated allowability of claims 8-10 and 13-15 are withdrawn in view of the newly discovered reference(s) ~~to the Finality of the previous Office Action.~~ Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claim 1-6, 9-15 are rejected under 35 U.S.C. 102(e) as being unpatentable by Iwamura (US 5883621).

Regarding claims 1 and 10, Iwamura discloses an information signal transmission system (Fig. 1) comprising a first device and a second device connected in a network for providing a predetermined information signal through the first and second devices (Plurality of devices connected through IEEE- 1394 network for communicating to each other using IEEE- 1394 protocol for exchanging data) and

Recipient detecting means for detecting a recipient of information signal (establish connectivity during bus initialization phase if the connection status of any port changes; Fig. 3),

Wherein the information signal that has been supplied to the recipient by the first device is continuously supplied to the recipient by the second device, based on the result detected by the recipient detecting means (once initialization is over, all the nodes talk to each other so to maintain connectivity)

Wherein in order to switch from the supply of a video signal by the 1st device to supply of the video signal by the 2nd device based on the result detected by the recipient detecting means (I.e., the user can record DVD signal on DVCR1 108 by drag/drop the DVD icon 900 to DVCR1 icon. In doing so, the current video signal reproduces by DVD 106 on the TV set is routing/switching to DVCR 108 for recording; Col. 8, lines 18-42), the supply of the video signal by the 2nd device start after a predetermined duration of time during which the video signals are supplied by both the 1st and the 2nd devices (once the process of drag/drop is over, the 2nd and the 1st device wait for a short period of time/suspended in order for the system to finish the process of routing/switch in which the 2nd device starts to receive the video signal from the 1st device and the 2nd device starts to record it).

Regarding claim 2, it is inherent that each of the 1st and 2nd devices comprises an information signal output (video output) unit for outputting the information signal (video signal).

Art Unit: 2611

Regarding claim 3, wherein the 2nd device DVCR1 108 switches the operation of the information signal acquisition means based on the result detected by the recipient detecting means so that the 2nd device continuously provides the recipient with the information signal that has been provided by the 1st device (2nd device DVCR1 108 starts to record the received video signal transmitted from 1st device DVD 106 after the drag/drop process is done; Col. 8, lines 18-42).

Regarding claim 4, wherein the 1st device switches the operation of the information signal acquisition means based on the result detected by the recipient detecting means so that the 2nd device continuously provides the recipient with the information signal that has been provided by the 1st device (the 1st device DVD 106 routes/switches the reproducing video signal to the DVCR1 108 after the drag/drop process is over so the 2nd device DVCR1 108 could record the received video signal transmitted from the 1st device DVD 106; Col. 8, lines 18-42).

Regarding claim 5, wherein the recipient detecting means detects the recipient of information signal, based on the identification added to a remote control (it is inherent in the data communication system each device is identified by its MAC address/ID so they could identify and communicate to each other over the network; Col. 4, lines 33-35);

Regarding claim 6, wherein the recipient detecting means detects the recipient of the information signal, based on the operation of controls arranged in the 1st device and or the 2nd device (during initialization process, all connected devices identify themselves so the system could collect their order of priority over the IEEE

Art Unit: 2611

1394 protocol so to generate a map from the topology information Col. 3, lines 20-65; Col. 5, lines 34-Col. 6, lines 5);

Regarding claim 9, it is inherent that the information signal constituted by video signal and information signal acquisition means holds an still image because during playback of a DVD program, the user could push a control pause key to freeze a video frame (still image) from the DVD program.

Regarding claim 11, it is inherent that a reproducing device DVD 106 reproduces a video signal recorded in a predetermined recording medium DVD disk.

Regarding claim 12, by drag/drop from one device to another device, the remote control transmits a remote control signal along with the device lds so the system could identify the recipient device by comparing with the topology/connection map; Col. 8, lines 18-42);

Regarding claims 13-15, an information providing device/a continuous supply control method of an information providing device/a medium that stores a continuous supply control program of an information providing device for providing a predetermined information signal supplied through a network by an information reproducing device DVD 106, the information providing device comprising:

Recipient detecting means for detecting a recipient of the information signal (establish connectivity during bus initialization phase if the connection status of any port changes; Fig. 3);

Control means for reporting, after the recipient physically move, to the information reproducing device through the network, control information for

Art Unit: 2611

continuously providing the recipient detected by the recipient detecting means with the information signal that has been provided to the recipient by another information providing device (for example, the reproducing device DVD 106 playbacks the video signal on the 1st TV device 102, the user drag/drop the DVD icon to a 2nd TV device connected to the network. By doing so, the system notify the DVD 106 to route/switch the video playback signal to the 2nd TV device).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Iwamura (US 5883621) in view of Kimura (US 5226090).

Regarding claim 7, Iwamura does not disclose wherein the recipient detecting means (voice-operated remote control) comprising speech signal acquisition means for acquiring a speech signal of the recipient of the information signal (remote control signal); and speech signal recognition means for identifying the recipient based on the speech signal, wherein the recipient of the information signal is detected based on the recognition result given by the speech signal recognition means.

Art Unit: 2611

Kimura discloses a voice operated remote control to operate various AV devices by way of voice (speech) command (Abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Iwumara system to incorporate a voice-operated remote control, as taught by Kimura, so the system could be operated with voice command based through sample operation of voice commands other than the operation of the keys.

Conclusion

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or Faxed to: (703) 872-9314

for informal or Draft communications; please label "PROPOSED" or "DRAFT"

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai Tran whose telephone number is (703) 308-7372. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Application/Control Number: 08/977,591
Art Unit: 2611

Page 8

HT:ht
April 21, 2003


ANDREW FAILE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600